

**THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE
OF THE PEOPLE'S REPUBLIC OF CHINA**

Address: No.6 Xi Tucheng Lu, Jimeng Qiao Haidian District, Beijing Post code: 100088 P.O.BOX: Beijing 8020

Shanghai Patent & Trademark Law Office

Examiner

Application No.: 200510059428.4	Department:	Date of Dispatch March 27, 2009
Applicant: MICROSOFT CORPORATION		
Title: ADDRESS SUPPORT FOR RESOURCES IN COMMON-LANGUAGE RUNTIME LANGUAGES		

THE SECOND OFFICE ACTION

1. ☒ The Examiner has received the observations delivered by the applicant on January 2, 2008, on the basis of which the Examiner has continued to proceed with the examination as to substance on the above application for patent for invention.
- ☐ Based on the Decision on Reexamination made by the Reexamination Board of the Patent Office on _____, the Examiner has continued to proceed with the examination as to substance on the above application for patent for invention.
2. ☐ The amended documents submitted on _____ by the Applicant do not conform with Item 3, Rule 51 of the Implementing Regulations, and can not be accepted; the applicant shall submit the amended documents that are in accord with the requirement(s) within one month from the receipt of this Notice, or it will be deemed that the Notice has not been responded to, and the application will be deemed to have been withdrawn.
3. The continued examination is directed at the following application documents:
- ☐ The amended application documents attached to the above observations.
- ☒ The application documents as pointed out by the last Office Action and the replacement sheets of the amended application documents attached in the above observations.
- ☐ The application documents as pointed out by the last Notice on Office Action.
- ☐ The application documents as certified by the above Decision on Reexamination.
4. ☒ This Notice has not cited any new comparison documents.
- ☐ This Notice has cited the following comparison material (The respective serial number(s) shall be used in the examination procedure(s) hereafter):

No.	Number/Title of Literature	Date of Publication (or the filing date of the conflicting Application)
-----	----------------------------	---

5. The conclusive opinions drawn from the examination:
- ☐ **As regards the Specification:**
- ☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right should be granted.
- ☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.
- ☐ The amendment of the specification does not conform with the provision of Article 33 of the Patent Law.

☐ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.

☐

☒ **As regards the Claims:**

☐ Claim _____ does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.

☐ Claim _____ does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent Law.

☐ Claim _____ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.

☐ Claim _____ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.

☐ Claim _____ does not conform with the provision of Item 4, Article 26 of the Patent Law.

☐ Claim _____ does not conform with the provision of Item 1, Article 31 of the Patent Law.

☐ The amendment of the Claim _____ does not conform with the provision of Article 33 of the Patent Law.

☐ Claim _____ does not conform with the definition on invention as stipulated in Item 1, Article 2 of the Implementing Regulations.

☐ Claim _____ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations.

☒ Claim 2,11,14,18-21,24,25 does not conform with the provisions of Rule 20 of the Implementing Regulations.

☐ Claim _____ does not conform with the provisions of Rule 21 of the Implementing Regulations.

☐ Claim _____ does not conform with the provisions of Rule 22 of the Implementing Regulations.

☐ Claim _____ does not conform with the provisions of Rule 23 of the Implementing Regulations.

☐

Refer to the text of this Notice for the specific analyses of the conclusive opinion.

6. Based on the above conclusive opinion, the Examiner deems that:

☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.

☒ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions. Otherwise said application will be rejected.

☐ There is no substantive contents in the application for patent which can be granted a patent right. If the applicant does not have sufficient reasons to enable it to be granted a patent right, said application will be rejected.

7. The applicant is asked to note the following items:

(1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within **two months** from the receipt of this Notice. Where, without justified reasons, the applicant does not respond at the expiration of said date, the application shall be deemed to have

been withdrawn

- (2) The amendments of the application shall be made in conformity with the provisions of Article 33 of the Patent Law and Rule 51 of the Implementing Regulations
 - (3) The Observations and/or amended documents of the applicant's shall be mailed or delivered to the Department of Receipt of the Patent Office. These documents shall have no legal effects if they are not mailed or delivered to the Department of Receipt
 - (4) Without first making an appointment, the applicant and/or his agent can not go to the Patent Office to have an interview with the Examiner
8. The text of this Notice totals 2 page(s), including the following attachments:
- ☐ duplicate copy(ies) of cited comparison document(s), altogether _____ copy(ies) _____ pages.
 - ☐

051463 1USCN
P172#

Text of the Second Office Action

Application Number: 2005100594284

The applicant filed a response to the First Office Action on January 2, 2008. The examiner has continued the examination after reading the above response. The office action is provided as follows.

Some of the claims are unclear and they do not comply with the provision stipulated in Item 1, Rule 20 of the Implementing Regulations of the Chinese Patent Law.

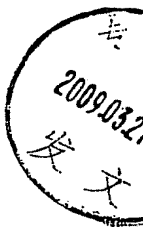

1&2: For the unclearness problems in claims 2 and 11, we will deal with the problems at our end.

3. Claim 14 refers to claim 2. The additional technical feature thereof is to further define the feature “providing a collection of resource identifiers in response to an input by the developer that corresponds to a request for a display of resource information”. However, claim 2 which it refers to does not mention such a feature. And only claim 13 mentions such a feature. So claim 14 shall refer to claim 13, not claim 2.

4-8: For the unclearness problems in claims 18-21, 24 and 25, we will deal with the problems at our end.

Based on the above reasons, the application in its current version cannot be granted a patent right. The applicant should modify the application according to the Notice on Office Action and submit the new claims and Description before the deadline. Please note that the amendments to the application should comply with the provision stipulated in Article 33 of the Chinese Patent Law, i.e. the amendments can not go beyond the scope of the disclosure contained in the initial Description and claims.



200233 上海桂平路 435 号 上海专利商标事务所有限公司 沈昭坤	发文日 
申请号: 2005100594284 	
申请人: 微软公司	
发明名称: 在公共语言运行时语言中的资源地址支持	

第 2 次审查意见通知书

2009. 3. 31.

1. ☒ 审查员已收到申请人于 2008 年 1 月 2 日提交的意见陈述书, 在此基础上审查员对上述专利申请继续进行实质审查。

☐ 根据国家知识产权局专利复审委员会于 年 月 日作出的复审决定, 审查员对上述专利申请继续进行实质审查。

☐

2. ☐ 申请人于 年 月 日提交的修改文件, 不符合专利法实施细则第 51 条第 3 款的规定。

3. 继续审查是针对下述申请文件进行的:

☐ 上述意见陈述书中所附的经修改的申请文件。

☒ 前次审查意见通知书所针对的申请文件以及上述意见陈述书中所附的经修改的申请文件替换页。

☐ 前次审查意见通知书所针对的申请文件。

☐ 上述复审决定所确定的申请文件。

☐

4. ☒ 本通知书未引用新的对比文件。

☐ 本通知书引用下述对比文件(其编号续前, 并在今后的审查过程中继续沿用):

编号

文件号或名称

公开日期(或抵触申请的申请日)

5. 审查的结论性意见:

☐ 关于说明书:

☐ 申请的内容属于专利法第 5 条规定的不授予专利权的范围。

☐ 说明书不符合专利法第 26 条第 3 款的规定。

☐ 说明书的修改不符合专利法第 33 条的规定。

☐ 说明书的撰写不符合专利法实施细则第 18 条的规定。

☐

☒ 关于权利要求书:

☐ 权利要求 不具备专利法第 22 条第 2 款规定的新颖性。

☐ 权利要求 不具备专利法第 22 条第 3 款规定的创造性。

☐ 权利要求 不具备专利法第 22 条第 4 款规定的实用性。

☐ 权利要求 属于专利法第 25 条规定的不授予专利权的范围。

☐ 权利要求 不符合专利法第 26 条第 4 款的规定。

☐ 权利要求 不符合专利法第 31 条第 1 款的规定。

☐ 权利要求 的修改不符合专利法第 33 条的规定。

☐ 权利要求 不符合专利法实施细则第 2 条第 1 款的规定。

☐ 权利要求 不符合专利法实施细则第 13 条第 1 款的规定。

☒ 权利要求 2, 11, 14, 18-21, 24, 25 不符合专利法实施细则第 20 条的规定。



- ☐ 权利要求 不符合专利法实施细则第 21 条的规定。
☐ 权利要求 不符合专利法实施细则第 22 条的规定。
☐ 权利要求 不符合专利法实施细则第 23 条的规定。

☐ 分案的申请不符合专利法实施细则第 43 条第 1 款的规定。

上述结论性意见的具体分析见本通知书的正文部分。

6. 基于上述结论性意见, 审查员认为:

- ☐ 申请人应按照通知书正文部分提出的要求, 对申请文件进行修改。
☒ 申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由, 并对通知书正文部分中指出的不符合规定之处进行修改, 否则将不能授予专利权。
☐ 专利申请中没有可以被授予专利权的实质性内容, 如果申请人没有陈述理由或者陈述理由不充分, 其申请将被驳回。

7. 申请人应注意下述事项:

- (1) 根据专利法第 37 条的规定, 申请人应在收到本通知书之日起的贰个月内陈述意见, 如果申请人无正当理由逾期不答复, 其申请将被视为撤回。
(2) 申请人对其申请的修改应符合专利法第 33 条和实施细则第 51 条的规定, 修改文本应一式两份, 其格式应符合审查指南的有关规定。
(3) 申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处, 凡未邮寄或递交给受理处的文件不具备法律效力。
(4) 未经预约, 申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

8. 本通知书正文部分共有 2 页, 并附有下列附件:

☐ 引用的对比文件的复印件共 份 页。

☐

审查员: 郑嘉青(A546)

2009 年 3 月 10 日



审查部门 电学发明审查部

第二次审查意见通知书正文

申请号：2005100594284

申请人于2008年1月2日提交了意见陈述书和经过修改的申请文件，审查员在阅读了上述文件后，对本申请继续进行审查，再次提出如下审查意见。

1. 权利要求2不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求2中出现了“所述开发人员”，而其引用的权利要求中并未出现“开发人员”，造成其指代的不清楚。（建议申请人将权利要求1中的“开发者”修改为“开发人员”）。

2. 权利要求11不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求11为权利要求1的从属权利要求，其附加技术特征中对“向开发人员提供对多个受控代码资源的访问”进行了进一步的限定，而该特征在其引用的对比文件1中并未出现，因此造成权利要求保护范围的不清楚。

3. 权利要求14不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求14为权利要求2的从属权利要求，其附加技术特征对“响应于开发人员的对应于显示资源信息的请求的输入而提供资源标识符集合”进行了进一步的限定，但是该特征在其引用的权利要求2中并未出现，因此造成权利要求保护范围的不清楚。

（是否该权利要求应当引用权利要求13？）

4. 权利要求18不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求18中出现的“所述设计程序”存在指代不清楚的问题，因为之前并未出现过“设计程序”。

5. 权利要求19不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求19中出现的“所述设计程序界面”存在指代不清楚的问题，因为之前既未出现过“设计程序”，也没有出现过“设计程序界面”。

6. 权利要求20、21不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求20、21中的“设计程序”也存在指代不清楚的问题，因为之前并未出现过“设计程序”（是否为“设计工具”？）

7. 权利要求24不清楚，不符合专利法实施细则第20条第1款的规定。

权利要求24中出现的“所述设计程序界面”存在指代不清楚的问题，因为之前既未出现过“设计程序”，也没有出现过“设计程序界面”。

8. 权利要求25不清楚，不符合专利法实施细则第20条第1款的规定。

与以上一点审查意见相应，该权利要求中出现的“设计程序”也存在指代不清楚的

问题。

基于上述理由，本申请目前的申请文本是不能被授权的，申请人应当在满足中国专利法第三十三条的基础之上修改申请文本以克服上述缺陷，在修改权利要求的同时应当对说明书技术方案部分的内容做适应性修改，使反映全部权利要求的技术方案。如果申请人不能在本通知书指定的答复期限内克服上述所有缺陷又不能提出具有说服力的理由和证据，本申请将被驳回。

请申请人注意，对申请文件进行的任何改动，务请提供修改对照页并在意见陈述书中详细说明已克服上述缺陷和修改没有超范围的理由。

审查员：郑嘉青

代码：A546

